

**MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
December 13, 2007**

Call to Order –

The regular meeting of the Board of Trustees of the Lorain County Rural Wastewater District was held at the LORCO office, 22898 West Road, Wellington Ohio. President McConnell called the meeting to order at 7:00 p.m. with the pledge of allegiance.

Trustees in Attendance –

Douglas Edwards	Dominic Ferritto	Ernest Hartman
Barbara Harper	John Piwinski	Gerald Cowie
Thomas Lahetta	Dorothy Collins	Scott Grills
Neil Lynch	Jim McConnell	Dennis Shumaker
Dwaine Clinker	James Wright	Joseph Knoble

Also in Attendance –

Fred Alspach, Executive Director
Dennis O'Toole, Legal Counsel
Rich Radachi, CPA
Becky Haines, Administrative Assistant

Absent – Rick Hutman

Approval of the Minutes –

President McConnell noted that the minutes of the regular meeting held on October 11, 2007 were mailed to all board members and called for any corrections or additions. It was moved by Ernest Hartman with a second by Barbara Harper to approve the minutes as written. All voted yea. Motion carried.

Absent a quorum there was no business conducted for the meeting scheduled November 9, 2007. President McConnell stressed the importance of the board members attendance and asked that if they cannot attend a meeting to encourage their appointed alternates to attend in their stead.

Old Business –

Executive Director Alspach explained the current disposition of the USDA-Rural Development Loan Guarantee Loan application. FirstMerit Bank officials have agreed to fund the \$30.1 MM dollar project conditional on USDA-Rural Development guarantee of 90% on the entire amount. Initial conversations with the state and local offices of Rural Development have indicated that the review process on the additional amount would be done in Washington DC. Kelly

Hettick is in receipt of the amended application and request from FirstMerit Bank and is in the process of preparing the documents for submittal. It is anticipated that the review process on the amended application will not be lengthy because of the previous review and approval.

Executive Director Alspach reminded the board of their approval on a contract with URS Greiner for the wetlands field study and report as required for our Permit to Install with the Ohio Environmental Protection Agency. LORCO is required to submit the wetlands study to the US Army Corps of Engineers in Buffalo, New York for their approval at an added cost. An addendum to the original contract was written for the additional work to be completed in the amount of \$36,900.00 and requires board authorization for the Executive Directors signature to proceed.

A motion was made by Ernest Hartman with a second by Barbara Harper authorizing the Executive Director to sign the addendum to URS Greiner for the additional work at a cost of \$36,900.00. All voted yea. Motion carried.

New Business –

President McConnell asked for the board's consideration to move the January 10, 2008 meeting time to 8:00 PM due to a scheduling conflict with the board room.

A motion was made by John Piwinski with a second by Thomas Lahetta to move the meeting time until 8:00 PM for the January 10, 2008 meeting. All voted yea. Motion carried.

Attorney O'Toole had reviewed proposed language changes to LORCO's Public Access and Availability of Records Policy in light of Ohio House Bill 9 in which there are changes in the practice of how records are compiled and disseminated and met with the Policy Committee on November 8, 2007 to discuss LORCO's existing policy. Although in his opinion our policy was sufficient he felt that additional language should be included regarding any redaction of records as permitted by law.

A motion was made by Gerald Cowie with a second by Scott Grills to amend LORCO's Public Access and Availability of Records Policy to include "*Any redaction of records as permitted by law shall be disclosed to requester if such redaction is not otherwise obvious upon inspection*". All voted yea. Motion carried.

CPA Radachi reviewed the re-appropriated 2007 Budget stating that most of the re-appropriations were because the permanent financing was not in place by December 31, 2007.

Resolution 2007-18 Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by James Wright with a second by Douglas Edwards;

WHEREAS, the Lorain County Rural Wastewater District appropriations for 2007 need to be amended to reflect actual expenditure through December 31, 2007 and;

WHEREAS, the list of actual expenditures is attached hereto, which reflect the requirement for additional appropriations, and;

WHEREAS, full discussion has been held.

NOW, THEREFORE BE IT RESOLVED

- 1) The Lorain County Rural Wastewater District 2007 Amended Budget is hereby approved with the following items re-appropriated;

	Estimated 2007 Expense	Permanent 2007 Budget	Over (Under)	Re-Approp 2007
Revenues				
Sewer Usage	3,500	2,500	1,000	1,000
Tap Fee Inc	15,000	0	15,000	15,000
Other Inc	21,962	15,000	6,962	6,962
Expenses				
Insurance	5,387	5,000	387	387
Admin Wages	64,223	60,000	4,223	4,223
Treatment	2,500	0	2,500	2,500
Miscellaneous	19,862	1,000	18,862	18,862
2007 Def A/P	282,513	100,000	182,513	182,513
F/M Loan Prin	0	1,600,000	(1,600,000)	(1,600,000)
F/M Loan Int		122,254	(122,254)	(122,254)
Disbursements				
Gtd Loan 6%	0	26,330,000	(26,300,000)	(26,300,000)
OWDA	0	5,312,000	(5,312,000)	(5,312,000)
F/M Add Loan	1,750,000	1,600,000	150,000	150,000
F/M Draws	193,586		193,586	193,586

- 2) That it is found and determined that all formal actions of the Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board of Trustees, and that all deliberations of the Board of

Trustees and of any of its committees resulting in such formal action were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

All voted yea. Motion carried.

Resolution 2007-19 Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Thomas Lahetta with a second by Scott Grills;

WHEREAS, the Lorain County Rural Wastewater District temporary budget was approved in accordance with Ohio Law on July 12, 2007, and

WHEREAS, the Lorain County Rural Wastewater District budget for 2008 is hereby attached, and;

WHEREAS, full discussion has been held.

NOW, THEREFORE BE IT RESOLVED

1. The Lorain County Rural Wastewater District 2008 Permanent Budget is hereby approved with Exhibits attached.
2. That it is found and determined that all formal actions of the Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of the Board of Trustees and any of its committees resulting in such formal action were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

All voted yea. The motion carried.

Executive Director Alspach completed the Administrative Report reviewing the meetings held, the staff report, correspondence and news articles. He also reported that letters had been sent to Congresswomen Kaptur and Sutton, State Senator Morano and State Representative Lundy asking for their support and correspondence to both the US Army Corps of Engineers and Ohio Environmental Protection Agency for an expedited review of our wetlands studies and issuance of the necessary permits.

During our bi-ennial audit we learned that a reportable condition existed with our continued use of signature stamps. Upon advise from CPA Radachi the Executive Director recommends a solution for authorization of his signature on checks under \$3,000 in association with the "Then and Now" certification. The resolution will be presented at the next board meeting for approval.

Mr. Alspach was invited to attend the Country Place Homeowner's Association meeting and give an overview of LORCO and the possibility of serving these residents.

Administrative Assistant Haines reported that LORCO has received the revised plans for Contracts 2 and 3 with the newly identified easement areas. A meeting was held with Lorain County Engineer Ken Carney on November 28 and discussion was had on permit specifications.

Resolution 2007-17 Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Ernest Hartman, seconded by Scott Grills;

WHEREAS, the following have been submitted:

Payroll 9/26/07 – 10/6/07	\$	1,443.27
Payroll 10/7/07 – 10/20/07	\$	1,443.27
LMRE – NISC monthly fee - miscellaneous	\$	102.97
OPERS – October contribution	\$	849.20
First Merit – October federal taxes	\$	632.14
First Merit – monthly analysis fee	\$	21.32
Village of Grafton – treatment costs	\$	518.77
Rebecca Haines – mileage reimbursement	\$	79.54
LMRE – November rent	\$	250.00
LMRE – Administrative Contract for November	\$	7,036.43

NOW, THEREFORE BE IT RESOLVED,

- 1) That in anticipation of receiving permanent construction funding with a financing guarantee from the USDA/ Rural Development, the LORCO Rural Wastewater District may be required to expend or incur cost for planning and/or fees for the purpose of making capital improvements to their wastewater collection facility, which costs expended or incurred will be considered a part of the total USDA/Rural Development construction loan and the LORCO Rural Wastewater District may claim such costs as reimbursable expenses through the loan.
- 2) That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of the Board of Trustees and of any of its committees resulting in such formal action were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

All voted yea. The motion carried.

RESOLUTION NO. 2007-20 Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by John Piwinski with a seconded by Barbara Harper:

WHEREAS, the following have been submitted:

Payroll 10/27/07 – 11/03/07	\$	1,443.27
Payroll 11/04/07 – 11/17/07	\$	1,443.27
Payroll 11/18/07 – 12/01/07	\$	1,443.27
Treasurer of State – biennial audit fees	\$	2,480.60
Treasurer of State – biennial audit fees	\$	382.60
Verizon Wireless – October	\$	50.88
Verizon Wireless – November	\$	51.86
GRW Engineers – plan review fees	\$	210.00
US Treasury – IRS quarterly tax differential	\$	10.08
Neace Lukens – umbrella rider	\$	898.00
Rebecca Haines – mileage reimbursement	\$	85.85
LMRE – NISC October monthly fee	\$	92.97
LMRE – NISC November monthly fee	\$	92.97
LORCO/Fred Alspach – petty cash	\$	146.36
URS Consultants – wetlands study	\$	23,205.00
URS Consultants – balance of study of original contract	\$	4,095.00
WG Carter – office supplies	\$	199.27
WG Carter – office supplies	\$	193.10
Bobel's – office supplies	\$	65.97
OPERS – November contribution	\$	849.20
First Merit – November federal taxes	\$	632.14
First Merit – monthly analysis fee	\$	15.20
Village of Grafton – treatment costs	\$	518.77
Rebecca Haines – mileage reimbursement	\$	79.54
LMRE –December rent	\$	250.00
LMRE – Administrative Contract for December	\$	7,036.43
Stumphauzer & O'Toole – legal services for October	\$	7,314.00
Stumphauzer & O'Toole – legal services for November	\$	679.00
Radachi & Co. – auditing fees for October	\$	3,480.00

NOW, THEREFORE BE IT RESOLVED,

- 1) That in anticipation of receiving permanent construction funding with a financing guarantee from the USDA/ Rural Development, the LORCO Rural Wastewater District may be required to expend or incur cost for planning and/or fees for the purpose of making capital improvements to their wastewater collection facility, which costs expended or incurred will be considered a part of the total USDA/Rural Development construction loan and the LORCO Rural Wastewater District may claim such costs as reimbursable expenses through the loan.

- 2) That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of the Board of Trustees and of any of its committees resulting in such formal action were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

All voted yea. The motion carried.

President McConnell called for any other business to come before the Board and asked the audience if they had any questions or concerns.

Adjourn

With no further business to come before the board, it was moved by Dominic Ferritto with a second by Ernest Hartman to adjourn at this time 8:35 PM and meet again in regular session at 8:00 PM on Thursday, January 10, 2008 at the LORCO office located at 22898 West Road, Wellington. All voted yea. Motion carried.

President

Secretary Treasurer